

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 5,749,871

Issued: May 12, 1998

Inventors: Larry L. Hood and Antonio Mendez G.

For: METHOD AND APPARATUS FOR  
MODIFICATIONS OF VISUAL ACUITY BY  
THERMAL MEANS

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT**  
**UNDER 37 CFR 1.323**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant notes that the above-referenced patent contains a typographical error in column 12, lines 9 and 43 the word "thermokeratoplastic" should be replaced with "thermokeratoplasty". Applicant also notes that the Related U.S. Application Data contains a typographical error wherein "Pat. No. 5,523,999" should read "Pat. No. 5,553,999".

Correction of these errors do not involve change in the patent which would constitute new matter or require re-examination. Applicant hereby encloses a Certificate of Correction identifying the corrections to the patent. Also enclosed is a check in the amount of \$100.00 in connection with the fee required under §1.20(a). Please charge any additional fees or credit any overpayments to Deposit Account No. 09-0946.

03/06/2003 HLE444 00000129 5749871

01 FC:1811

100.00 DP

Atty. Docket No. 155660-0069  
564637

A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: February 24, 2003

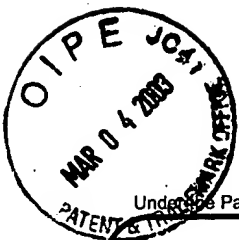
BEN YORKS  
BEN YORKS  
Reg. No. 33,609

840 Newport Center Drive  
Suite 400  
Newport Beach, CA 92660  
Telephone: (949) 760-0991

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited  
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Wendy Jones 2/24/03  
Wendy Jones Date



MAR 12 2003

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Patent Number	5,749,871	<b>Certificate of Correction</b> MAR 10 2003	
Date of Patent	May 12, 1998		
First Named Inventor	Larry L. Hood		
Group Art Unit			
Examiner Name			
Total Number of Pages in This Submission	6	Attorney Docket Number	155694-0011

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Request for Certificate of Correction 2. Form PTO/SB/17
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ben Yorks, Reg. 33,609 IRELL & MANELLA, LLP
Signature	<i>Ben Yorks</i>
Date	February 24, 2003

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **February 24, 2003**

Typed or printed name	Wendy Jones		
Signature	<i>Wendy Jones</i>	Date	February 24, 2003

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 100.00

## Complete if Known

Patent Number	5,749,871
Date of Patent	May 12, 1998
First Named Inventor	Larry L. Hood
Examiner Name	
Art Unit	
Attorney Docket No.	155694-0011

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 09-0946

Deposit Account Name Irell & Manella, LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ )	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	- 3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent	<input type="text"/>				<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Certificate of Correction Fee					100.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ ) 100.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Ben Yorks	Registration No. (Attorney/Agent)	33,609	Telephone	949 760-0991
Signature	<i>Ben Yorks</i>	Date	February 24, 2003		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 5,749,871  
DATED : May 12, 1998  
INVENTOR(S) : Larry L. Hood and Antonio Mendez G.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page.

Item [63], **Related U.S. Application Data**, change "Pat. No. 5,523,999" to  
-- Pat. No. 5,553,999 --.

Column 12.

Lines 9 and 43, change "thermokeratoplastic" to -- thermokeratoplasty --.

Signed and Sealed this

Twenty-second Day of July, 2003

A handwritten signature in black ink, appearing to read "James E. Rogan", with a horizontal line drawn underneath it.

JAMES E. ROGAN  
*Director of the United States Patent and Trademark Office*

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*Title pg, Item [63],*

Related U.S. Application Data, change "Pat. No. 5,523,999" to --Pat. No. 5,553,999--.



MAILING ADDRESS OF SENDER:

IRELL & MANELLA, LLP

840 Newport Center Drive, Ste 400

Newport Beach, California 92660

PATENT NO. 5,749,871

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